

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Case No. 08-60654

KENNETH J. FONTENOT,

Chapter 7

Debtor.

Judge Thomas J. Tucker

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**ORDER REQUIRING THE FILING AND SERVICE OF  
A NEW 20-DAY NOTICE OF TRUSTEE'S FINAL REPORT**

On August 20, 2009, the United States Trustee filed (1) the Chapter 7 Trustee's Final Report (Docket # 71); and (2) a 20-day Notice of the Trustee's Final Report (Docket # 72). On September 23, 2009, the Chapter 7 Trustee submitted a proposed order granting his fee application, contained in the Final Report. The next day, the Court sent an e-mail message to the Trustee's office informing the Trustee that the 20-day notice of his Final Report was defective. The message stated:

From: Judge Thomas J. Tucker  
Date/Time: 9/24/09, 10:12 a.m.

The 20-day notice of the Trustee's final report that was served by the BNC on the creditors is defective. That notice (Docket # 72) says that objections must be filed "within 20 days from the mailing date of this notice." But right below that, it says "Date Mailed: 08/12/2009." But that mailing date is wrong. The BNC did not mail this notice to the creditors until August 23, 2009. See Docket # 73, last page.

Promptly, please file, and caused to be served, a new 20-day notice of the Trustee's final report that does not have this type of error in it. Or have Joe Mack of the U.S. Trustee's office do so.

Also, please forward a copy of this message to Joe Mack, who filed the (defective) 20-day notice on 8-20-09, so he will be made aware of this problem and hopefully avoid it from now on.

I will hold this trustee's fee order until that is done, and until the

resulting 20-day objection period has passed. Thanks.

To date, nothing apparent has been done in response to the Court's September 24 message; no new 20-day notice has been filed or served by anyone. Accordingly,

IT IS ORDERED that no later than **October 9, 2009**, the Chapter 7 Trustee (or if the United States Trustee wishes to do it, the United States Trustee,) must file and serve a proper 20-day notice of the Trustee's Final Report on all creditors on the matrix.

**Signed on October 05, 2009**

/s/ Thomas J. Tucker  
**Thomas J. Tucker**  
**United States Bankruptcy Judge**